

JUN 08 2007

Application No. 10/064,129
Reply to Office Action of March 9, 2007

RD-28679-1

REMARKS

In the Office Action, claims 9, 11-17, 19, 24, 25, 29-31, 33, 34, 53, and 54 were rejected. By this Response, Applicants have amended claims 9, 17, 24, 33, and 53. Claims 9, 11-17, 19, 24, 25, 29-31, 33, 34, 53, and 54 remain pending in the present patent application. Reconsideration and allowance of all pending claims are requested in light of the above amendments and the following remarks.

Rejections under 35 U.S.C. §102

Claims 9, 11-17, 19, 24, 25, 29-31, 33, 34, 53, and 54 were rejected under 35 U.S.C. 102(b) as being anticipated by De Baker et al. (US 5,471,113). A *prima facie* case of anticipation under 35 U.S.C. § 102 requires a showing that each limitation of a claim is found in a single reference, practice or device. *In re Donohue*, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

Amended claim 1 recites A phosphor blend comprising $(\text{Lu}, \text{La}, \text{Gd})_x(\text{Al}, \text{Ga})_y\text{O}_{12}:\text{Ce}^{3+}$ or $(\text{Tb}, \text{Y}, \text{Lu}, \text{La}, \text{Gd})_x\text{Ga}_y\text{O}_{12}:\text{Ce}^{3+}$, wherein x is in a range from about 2.8 to and including 3 and y is a range from about 4 to and including 5, and at least one phosphor selected from the group consisting of $(\text{Gd}, \text{La}, \text{Lu}, \text{Sc})_2\text{O}_3:\text{Eu}^{3+}$, $(\text{Y}, \text{Gd}, \text{La}, \text{In}, \text{Lu}, \text{Sc})\text{BO}_3:\text{Eu}^{3+}$, $(\text{Y}, \text{Gd}, \text{La})(\text{Al}, \text{Ga})\text{O}_3:\text{Eu}^{3+}$, $(\text{Ba}, \text{Sr}, \text{Ca})(\text{Y}, \text{Gd}, \text{La}, \text{Lu})_2\text{O}_4:\text{Eu}^{3+}$, $(\text{Y}, \text{Gd})\text{Al}_3\text{B}_4\text{O}_{12}:\text{Eu}^{3+}$, $(\text{Gd}, \text{Y})_4(\text{Al}, \text{Ga})_2\text{O}_9:\text{Eu}^{3+}$, and $(\text{Ca}, \text{Sr})(\text{Gd}, \text{Y})_3(\text{Ge}, \text{Si})\text{Al}_3\text{O}_9:\text{Eu}^{3+}$, and at least one additional phosphor selected from the groups: (a) $(\text{Ba}, \text{Sr}, \text{Ca})_5(\text{PO}_4)_3(\text{F}, \text{OH}):\text{Eu}^{2+}$, $(\text{Sr}, \text{Ca})\text{MgAl}_{10}\text{O}_{17}:\text{Eu}^{2+}$, and $(\text{Ba}, \text{Sr}, \text{Ca})\text{BPO}_5:\text{Eu}^{2+}$; (b) BaTiP_2O_8 and $\text{Ba}_5(\text{PO}_4)_3(\text{Cl}, \text{F}, \text{OH}):\text{Sb}^{3+}$; and (c) $\text{GdMgB}_5\text{O}_{10}:\text{Tb}^{3+}$; wherein said phosphor blend is capable of absorbing EM radiation having wavelengths in a range from about 200 nm to about 400 nm and emitting light in having wavelengths in a visible spectrum. The support for the amendment may be found in the specification in Tables 1-4. The phosphor blends disclosed in the tables do have at least a phosphor from group (d). Applicants respectfully submit that claim 9 and its dependent claims are not anticipated by De Backer.

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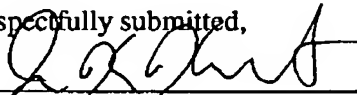
De Backer discloses a luminescent layer including a number of luminescent materials. None of the luminescent materials are the red-light emitting phosphors of claim 9. De Backer does not disclose each and every element of claim 9. Specifically, De Backer does not disclose a phosphor blend comprising $(\text{Lu}, \text{La}, \text{Gd})_x(\text{Al}, \text{Ga})_y\text{O}_{12}:\text{Ce}^{3+}$ or $(\text{Tb}, \text{Y}, \text{Lu}, \text{La}, \text{Gd})_x\text{Ga}_y\text{O}_{12}:\text{Ce}^{3+}$ and at least one selected from the group $(\text{Gd}, \text{La}, \text{Lu}, \text{Sc})_2\text{O}_3:\text{Eu}^{3+}$, $(\text{Y}, \text{Gd}, \text{La}, \text{In}, \text{Lu}, \text{Sc})\text{BO}_3:\text{Eu}^{3+}$, $(\text{Y}, \text{Gd}, \text{La})(\text{Al}, \text{Ga})\text{O}_3:\text{Eu}^{3+}$, $(\text{Ba}, \text{Sr}, \text{Ca})(\text{Y}, \text{Gd}, \text{La}, \text{Lu})_2\text{O}_4:\text{Eu}^{3+}$, $(\text{Y}, \text{Gd})\text{Al}_3\text{B}_4\text{O}_{12}:\text{Eu}^{3+}$, $(\text{Gd}, \text{Y})_4(\text{Al}, \text{Ga})_2\text{O}_9:\text{Eu}^{3+}$, and $(\text{Ca}, \text{Sr})(\text{Gd}, \text{Y})_3(\text{Ge}, \text{Si})\text{Al}_3\text{O}_9:\text{Eu}^{3+}$. Applicants submit amended claim 9 and its dependent claims 11-16 are not anticipated by de Backer and are allowable. For similar reasons, amended claim 17 and its dependent claim 19, amended claim 24 and its dependent claim 25, amended claim 33 and its dependent claim 34, and amended claim 53 and its dependent claim 54 are allowable.

Applicants submit that De Backer does not disclose the phosphor blends recited in claims 29 and 30. Accordingly, Applicants request that claims 29 and 30 be allowed.

If any additional fees for the accompanying response are required, Applicants request that this be considered a petition therefore. The Director is hereby authorized to charge any fees that may be required to Deposit Account 07-0868. In view of the above, it is submitted that the pending claims are patentable and in condition for allowance. Reconsideration of the rejections is respectfully requested.

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Respectfully submitted,



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